THE HON'BLE MR JUSTICE V.ESWARAIAH

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WRIT PETITION No.24196 of 2005

Dated: 14.11.2005

Between:

Mir Asghar Ali, S/o. Late Mir Mustafa Ali,
H.No. 9-1-7, Langer House, Hyderabad.

..... PETITIONER

AND

A.O. Transco Vigilance & A.P.T.S. Team-1, Hyderabad,

rep by its Inspector,
situated at Vidyut Soudha, Hyderabad.

.....RESPONDENT

ORDER:

Heard the learned counsel for the petitioner as well as the learned Standing Counsel appearing for the respondent.

When this matter came up for admission, the learned Standing counsel appearing for the respondent, under instructions, submitted that the petitioner is not at all arrested by the Sub-Inspector of Police, Vigilance, APTS Team-I, CPDCL, Hyderabad, in connection with FIR No. 2940 of 2004 registered on 30.09.2004 under Section 135 of the Electricity Act, 2003. Hence, this writ petition is taken up for

disposal at the stage of admission.

The petitioner submits that he has purchased the house bearing Municipal No. 22-7-526/5, admeasuring about 51.00 square yards, situated at Hussainabad, Mandi Mir Alam, Hyderabad, under a registered sale deed dated 07.03.2005 from Syed Syed Ali Mohammed Hussain. His vendor purchased the said house from Zainabunnisa Begum and
Abida Begum under a registered sale deed dated 18.01.2005. After purchasing the said house, the petitioner obtained electricity consumer connection meter No.10006718 and has been paying the electricity bills regularly. While so, the petitioner came to know that a case has been registered against one Ansari in FIR No. 2940 of 2004, showing his house number Ansari as 22-7-526/6, Miralam Mandi, Hyderabad, whereas the house number of the petitioner is 22-7-526/5. Though the house number of the said Ansari is different and he has nothing to do with the house of the petitioner, under the guise of registering the said crime on the allegation of theft of energy, the respondent is harassing the petitioner. Hence, this writ petition.

Per contra, the learned standing counsel appearing for the respondent submits that the petitioner was never arrested and there was no threat of arrest in respect of the said crime.

Having regard to the above facts and circumstances of the case, the writ petition is disposed of directing the respondent not to harass or not to take any coercive steps against the petitioner in connection with the said FIR, if he is not the accused and if no FIR is pending against him. No costs.

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14.11.2005

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